

Appl. No. : 10/099,932
Filed : March 13, 2002

REMARKS

In the Office Action mailed January 22, 2004, the Examiner raised various objections and rejections. By this amendment, Applicant addresses each of the objections and rejections.

Objection to the Drawings

The Examiner objected to the drawings not showing every feature of the claims. In particular, the Examiner noted that the charging pulse voltage component is not shown in the drawings.

Applicant respectfully notes that voltage and current representations, as shown in Figures 1 and 2, are voltage and current components of the charging waveform as understood in the art. However, the phrase "voltage component" has been removed from the claims by this amendment. Thus, Applicant believes that the drawings do not need to be amended for this purpose.

Objection to the Specification

The Examiner objected to the specification for failing to provide proper antecedent basis for the phrase "selected points" in Claim 37. Applicant has amended Claim 37 in such a manner that "selected points" is no longer used. Thus, Applicant believes that the specification does not need to be amended for this purpose.

Claim Objections

The Examiner objected to Claims 1, 3, and 37 for various informalities. Applicant has amended these claims to address the objections.

Claim Rejections Under 35 USC § 112

The Examiner rejected Claims 1-66 under 35 USC § 112, second paragraph. Applicant believes that the amended claims address each of the indefiniteness issues raised by the Examiner.

Claim Rejections Under 35 USC § 102

The Examiner rejected Claims 1-3, 16, and 17 as being anticipated by the Ding et al. reference (U.S. Patent No. 6,094,033). Applicant has reviewed the Ding reference and believes that in Ding, a battery is monitored to determine one or more parameters indicative of the battery's condition. After such determination, a series of appropriately configured charging pulses are applied to the battery. The condition of the battery is then updated by another monitoring operation *after* the series of charging pulses.

In contrast, Applicant's claimed device *monitors the actual charging pulses* at the battery, and can adjust the subsequent pulses accordingly as described and claimed in the present Application. Such a feature can allow greater flexibility in the adjustment of the charging pulses, as well as greater adaptability to different types of batteries.

Applicant believes that such a feature is substantially different from the Ding teaching. By this paper, Applicant has amended the claims to distinguish the Ding reference. Thus, Applicant believes that the amended independent Claim 1 is patentable over the Ding reference.

Claim Rejections Under 35 USC § 103

The Examiner rejected Claims 4-6, 8, 10-15, 18-23, 37-54 as being obvious in light of the Ding et al. reference (U.S. Patent No. 6,094,033). As to the dependent apparatus claims 4-6, 8, 10-15, 18-23, Applicant believes that the independent Claim 1 in its amended form is not anticipated by or obvious in light of the Ding reference for reasons stated above in the remark addressing the § 102 rejection. Thus, the dependent claims 4-6, 8, 10-15, 18-23 that depend from Claim 1 are also not obvious in light of the Ding reference.

As to the method claims 37-54, Applicant has amended the independent method Claim 37 in a similar manner as that of the apparatus Claim 1. Thus, Applicant believes that Claim 37 is patentable over the Ding reference. Consequently, Applicant believes that the dependent claims 38-54 that depend from Claim 37 are also patentable over the Ding reference.

The Examiner also rejected claims 24-27, 29, 30, 32, and 55-64 under 35 USC § 103 as being unpatentable over Ding in view of the Kimura et al. reference (U.S. Patent No. 6,573,687). Applicant has reviewed the Kimura reference and believes that it also does not teach or suggest

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the features of the claimed device as recited in the independent Claims 1 and 37. Thus, Applicant believes that the dependent claims 24-27, 29, 30, 32, and 55-64 having all of the limitations of their respective base claims are not obvious in view of the Ding and Kimura references.

The Examiner also rejected claims 35, 65, and 66 under 35 USC § 103 as being unpatentable over Ding in view of the Armstrong et al. reference (U.S. Patent No. 6,377,028). Applicant has reviewed the Armstrong reference and believes that it also does not teach or suggest the features of the claimed device as recited in the independent Claims 1 and 37. Thus, Applicant believes that the dependent claims 35, 65, and 66 having all of the limitations of their respective base claims are not obvious in view of the Ding and Armstrong references.

Rejection of Dependent Claim

By this paper, Applicant has amended the independent Claims 1 and 37 to address the various issues raised by the Examiner. As remarked herein, Applicant believes that Claims 1 and 37 are now patentable over the cited references. Thus, Applicant respectfully submits that the dependent claims, some of which have been amended to address the informal objections and indefiniteness rejections, are also patentable over the cited references.

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SUMMARY

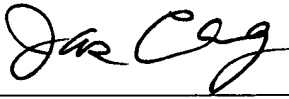
For the foregoing reasons, Applicant believes that this Application is now in a condition ready for allowance and respectfully requests the prompt allowance of the same. Should there be any impediment to the allowance of this application that could be resolved by a telephone call, the Examiner is respectfully requested to call the undersigned at the telephone number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 7-22-04

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